

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

Motion GRANTED.

DR. JOSEPH CICCIO, *et al.*,

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Plaintiffs,

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v.

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SMILEDIRECTCLUB, LLC, *et al.*,

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Defendants.

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Civil No. 3:19-cv-00845

Judge Trauger



**PROVIDER PLAINTIFFS' UNOPPOSED MOTION FOR ADDITIONAL PAGES FOR  
MEMORANDA REGARDING MOTION FOR CLASS CERTIFICATION**

Provider Plaintiffs Dr. Joseph Ciccio; Joseph A. Ciccio, Jr., D.D.S. and Peter B. Demarest, D.M.D., PLLC; Dr. Arthur Kapit; Arthur L. Kapit, D.D.S. M.Sc.D., P.A.; Dr. Vishnu Raj; and Alamo Ranch Orthodontics, PLLC hereby move the Court to allow for 20 additional pages, for a total of 40 pages, for Plaintiffs' memorandum in support of their motion for class certification, which is due to be filed next Friday, August 26, and for Defendants' memorandum in response, and show the Court as follows:

1. The Second Amended Scheduling Order provides that briefs relating to class certification "shall not exceed 20 pages." Doc. 342 at 1. This language was carried over from the Initial Case Management Order (*see* Doc. 116 at 5) into the Amended Scheduling Order (*see* Doc. 265 at 2), and then into the Second Amended Scheduling Order.

2. The Second Amended Scheduling Order resulted from a motion Plaintiffs filed seeking an extension of the class certification deadlines in light of a production Defendants made as class discovery closed. *See* Doc. 329.

3. In their extension motion, Plaintiffs flagged that the number of pages for class certification briefs likely would need to be increased at the appropriate time but the issue was not